

OFFICIAL GAZETTE

GOVERNMENT OF GOA

NOTE: There are two Extraordinary issues to the Official Gazette, Series I No. 13 dated 27-6-1991 namely: — No. 1 dated 27-6-1991 from pgs. 161 to pgs. 162 and No. 2 dated 1-7-1991 from pgs. 163 to pgs. 166 regarding Notifications from Department of Urban Development and Finance (Budget) Department.

GOVERNMENT OF GOA

Industries Department

Notification

3/9/91-IND(4)

The following Notification received from the Government of India, Ministry of Industry (Department of Industrial Development), New Delhi and published in the Gazette of India, Extraordinary, Part II, Section 3 — Sub-Section (ii) dated 2-4-1991, is hereby re-published for the general information of the public.

Subhash V. Elekar, Jt. Secretary (Industries).
Panaji, 14th June, 1991.

MINISTRY OF INDUSTRY

(Department of Industrial Development)

Notification

New Delhi, the 2nd April, 1991

S. O. 232(E).—Whereas the Central Government considers it necessary with a view to ascertain which ancillary and small scale industrial undertakings need supportive measures, exemption or other favourable treatment under the Industries (Development and Regulation) Act, 1951 (65 of 1951), (hereinafter referred to as the said Act) to enable them to maintain their viability and strength so as to be effective in —

- (a) promoting in a harmonious manner the industrial economy of the country and easing the problem of unemployment, and
- (b) securing that the ownership and control of the material resources of the community are so distributed as best to subserve the common good.

And whereas the draft notification was laid before each House of Parliament for a period of

30 days as required under sub-section (3) of section 11B of the said Act.

And whereas no modification in the proposed notification has been suggested by both Houses of Parliament.

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 11B and sub-section (i) of Section 29B of the said Act, and notwithstanding anything contained in any earlier notification issued by this Department, the Central Government hereby specifies having regard to the factors mentioned in sub-section (2) of the said Section 11B, the requirements mentioned in the Table below, which shall be complied with by the industrial undertakings to enable them to be regarded, as an ancillary, or a small scale industrial undertaking for the purpose of the said Act.

TABLE

I. Requirements to be complied with by an industrial undertaking for being regarded as small scale industrial undertaking:—

- (a) An industrial undertaking in which the investment in fixed assets in plant and machinery whether held on ownership terms or on lease or by hire purchase does not exceed rupees sixty lakhs.
- (b) In case of an industrial undertakings referred to in (a) above the limit of investment in fixed assets in plant and machinery shall be rupees seventy five lakhs provided the unit undertakes to export atleast 30 per cent of the annual production by the end of 3rd year from the date of its commencing production.

II. Requirements to be complied with by an industrial undertaking for being regarded as an ancillary industrial undertaking —

An industrial undertaking which is engaged or is proposed to be engaged in the manufacture or production of parts, components, sub-assemblies, tooling or intermediates, or the rendering of services, and the undertaking supplies or renders or proposes to supply or render not more than 50 per cent of its production or services, as the case may be, to one or more other industrial undertakings and whose investment in fixed assets in plant and machinery whether held on ownership

terms or on lease or on hire purchase, does not exceed rupees seventy five lakhs.

[Note: No small scale or ancillary industrial undertaking referred to above shall be subsidiary of, or owned or controlled by any other industrial undertaking.]

2. Every industrial undertaking which has been issued a certificate of registration by the Department of Industrial Development or Director General of Technical Development under the said Act and now falls within the above definition of ancillary or small scale industrial undertaking, may be registered, at the discretion of the owner, as such, within six months from the date of issue of this notification.

3. This Notification shall come into force on the date of its publication in the Official Gazette.

[File No. 10(71)/90-LP]

N. R. KRISHNAN, Ddcl. Secy.

Finance (Revenue and Control) Department

Notification

17/3/91-Fin(R&C)

The Government of Goa is pleased to make the following rules so as to regulate the sale of Goa State Lottery tickets, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa State Lottery Rules, 1991.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) “agent” means the agent appointed under rule 9;

(b) “Committee” means the Committee appointed to hold the draws under rule 12;

(c) “Director” means the Director of State Lotteries appointed by the Government;

(d) “Form” means a form appended to these rules;

(e) “Government” means the Government of Goa;

(f) “Person” includes a sole proprietor or firm or company registered under any law for the time being in force.

(g) “Prize amount” means the prize amount payable to a prize winning ticket in a lottery draw;

(h) “Scheme” means the Goa State Lottery Scheme;

(i) “State” means the State of Goa;

(j) “State Lottery” means the Goa State Lottery;

(k) “Ticket” means the State Lottery ticket released for sale of a particular draw.

3. *Conducting of State Lottery.*—(1) The Goa State Lottery shall be conducted by the Government.

(2) The Scheme shall be administered by the Secretary (Finance) to the Government.

(3) The Director shall implement the Scheme as determined by the Government from time to time.

4. *Type of Lottery tickets.*—(1) There shall be two types of lottery tickets, namely open number tickets and instant lottery tickets.

(2) The sale of open number ticket shall conclude before the lottery draw is actually held. Whereas, in the case of instant lottery tickets, the sale of tickets shall commence after the declaration of lottery result till the last date as fixed by the Director.

5. *Printing of Tickets.*—(1) the printing of tickets shall be entrusted to the Government Printing Press, Panaji.

Provided that the Government may also entrust such printing of tickets to any other private press after ensuring the secrecy and security of printing of tickets.

(2) The tickets shall be issued in distinct and separate series and each series shall be distinguished by a design and distinct alphabetical notation. The tickets shall bear the signature in facsimile of an Officer of the Finance Department authorised by the Government. Each ticket shall be assigned a secret code by the Director. Such code may be changed from ticket to ticket and from series to series. The code list containing the numbers of tickets and corresponding secret codes shall be in the safe custody of the officer of the Finance Department so appointed by the Government.

(3) The value of the first prize shall be printed on the front side of every ticket. The value of the other prizes shall be given on the back side of the ticket.

6. *Particulars of ticket, draws and prizes.*—In respect of each draw or group of draws of the State Lottery, the matter pertaining to:

(a) The date and time of draw;

(b) The total number of tickets to be issued;

(c) The number of series;

(d) The number of tickets per series;

(e) The commencing and ending number of tickets of each series;

(f) The denomination (price) of ticket;

(g) The number and amount of prizes;

shall be decided by the Government.

7. *Services of agents.*—The Government if so, desires, may engage the services of an agent to assist in running, organising and sale of State Lottery on All India basis, on behalf of the Government.

8. *Tenders.*—The Government may, for the purpose of engaging the services of an agent, call for tenders from persons desiring to be agents for organising lotteries on All India basis, and appoint the agent who in its opinion, has offered the best terms.

9. *Application for appointment as agent.*—(1) Any person desiring to be appointed as agent shall apply to the Director in Form "A".

(2) The Director of Lotteries after satisfying himself of the bonafides and financial stability of the person desiring to act as an agent, shall with the approval of the Government, select such person as agent.

(3) The person selected to be agent shall execute an agreement in Form "B". The person thus selected shall deposit with the Government a security deposit of 2% of the total face value of the tickets agreed to be lifted for sale during a year. This security deposit shall be forfeited if irregularities are noticed in the discharge of function of such agents.

(4) The Government shall appoint the agent by issuing an appointment certificate in form "C".

(5) The agent shall produce the appointment certificate as and when asked for by the Director or by his authorised officer.

10. *Selling of tickets to agents.*—(1) The tickets shall be sold to the agents at the office of the Director against payment in cash or in Demand Draft drawn in favour of the Director on any Nationalised Bank at Panaji, or on production of challan in proof of payment in any Government treasury or sub-treasury in any Taluka.

(2) The agent shall verify whether all the tickets purchased by him are correctly printed and are without any defect. If any defect is noticed, he shall immediately bring the defect to the notice of the Director. No defective ticket shall be sold to the public by the agent at any time.

(3) The tickets shall be released in books of 50, 100 or any number as determined by the Director, from time to time to the agents appointed by the Government under rule 9 for the purpose of making them available to the public for sale.

(4) The tickets shall not be sold by the agent in the State or areas where the sale of State Lottery is prohibited.

11. *Termination of services of agent.*—The Government may terminate the services of the agent if in its opinion, it is found that the agent is not fulfilling the conditions stipulated in the Agreement, by giving one month's notice.

12. *Committee.*—(1) The Government shall by notification in the Official Gazette, appoint a Committee consisting of such number of members as may be found necessary, for holding the draws.

13. *Postponement of date of draw.*—(1) The Director may postpone the date of such draw to any other date after giving sufficient publicity in advance regarding such postponement of draw.

(2) A list duly authenticated by the Director, indicating the notations of the series, the number of tickets issued for sale and number of unsold tickets shall be made available to the Committee before the commencement of the draw.

14. *Place and date of draw.*—The draw shall be held at a public place, date and time as decided by the Director.

15. *Draw to be repeated in certain cases.*—If in a category of prizes, a ticket wins the same prize for the second time, the draw shall be repeated until a different ticket wins a prize.

16. *Unsold tickets to be listed.*—The tickets remaining unsold with the Government shall be listed and sealed before the start of the draw. The prizes, if any, won by such unsold tickets shall form revenue of the Government.

17. *Tickets to be eligible for only one prize.*—No ticket shall be eligible for more than one prize in any draw. In the event of a prize ticket winning more than one prize, such ticket shall be eligible for only the highest prize.

18. *Procedure for draw.*—The procedure for the draw shall be as follows:

There shall be a machine containing seven drums in a row. The drums will bear the following identification labels:

I	II	III	IV	V	VI	VII
(One lakh)	(Ten thousand)	(Thousand)	(Hundred)	(Tens)	(Units)	(Series)

The VIIth drum shall contain the balls engraved with the series. The remaining drums shall contain the balls bearing digits 0 to 9, the number of digits depending upon the modalities of draw. The draw shall commence with the rotation of all these drums simultaneously after the Chairman of the Committee rings the bell. The drums shall be rotated for 10 to 15 seconds so that the balls inside the drum will get sufficiently shuffled. When the Chairman of the Committee rings the bell again, the drums shall be halted. On halting the drums, the lever will be pulled so that one ball from each drum falls down simultaneously in a respective container. If all the balls do not fall simultaneously from each drum, the balls will be put back in the respective drums and the process shall be repeated till the ball from each drum falls simultaneously.

19. *Displaying of first prize.*—The first prize shall be displayed on the notice board which shall be located at the prominent place of draw hall.

20. *Authentication of prize winning numbers.*—After the digits of the prize winning numbers are drawn and recorded on the prize list, the prize winning numbers shall be entered in a sheet. Such entries in the sheet shall be duly authenticated by the members of the Committee who are present for such draw.

21. *Maintenance of record.*—After the draw is over, the various records including the sheets mentioned in rule 20, shall be kept in the custody of the Director for a maximum period of 3 years after which they shall be destroyed. As regards the destruction of tickets, the maximum period shall be six months from the date of draw:

Provided that such records/tickets shall be kept beyond the prescribed period only when they are required by the statutory Audit or by the Orders of the Court.

22. *Publicity.*—Wide publicity shall be given through the newspapers and such other publication to the list of prize winning numbers. Such list may also be published in the Official Gazette which shall constitute the official announcement of the results.

23. *Payment of prizes.*—(1) The total value of outgo of prizes to be paid to the winners, sellers, agents and stockist for each draw shall not be less than 50% of the gross value of the tickets printed for sale. This is exclusive of bonus, commission or any other incentives payable to the agents, sellers and stockists:

Provided that the outgo of prizes to the winners shall not be less than 33 $\frac{1}{3}$ %. The said prize ratio can be varied at the sole discretion of the Government keeping in view the market trend.

(2) The prizes will be paid by the Director against the production of the prize winning ticket which shall be paid when the genuineness of the ticket is verified and certified by the printing press which has printed the ticket. In case of payment of prize exceeding Rs. 5,000/-, the winner should make an application in the Form "D" supported by the prize winning ticket and 3 passport size photographs. The prize amount can also be claimed through any Nationalised Bank/Scheduled Bank/Cooperative Bank.

(3) Claims for prizes for mutilated/tempered/torn/disfigured/forged tickets shall be rejected except in cases where it is possible to verify genuineness of the ticket. If during verification, it is found that the ticket is genuine, the prize amount shall be disbursed. The claim shall be rejected, if the genuineness of the ticket cannot be established.

In such cases, the decision of the Director shall be final and binding.

24. *Claim for Prizes.*—(1) No person shall be eligible for the prize amount unless he has surrendered the original prize winning ticket to claim such amount.

(2) No joint claim on any prize winning ticket shall be recognised from any group of individuals formed for the purpose of sharing prizes among themselves.

(3) Where any investigation by the Income Tax Department is pending and intimated to the Director, the claim on the ticket may be considered subject to the result of such investigation and the amount shall be payable after deducting the Income tax dues, if any.

(4) The prize amount shall be claimed within 60 days from the date of draw. On failure to claim the prize amount in respect of any draw within the specified period of 60 days from the date of such draw, the prize amount shall lapse and stand forfeited to the Government.

(5) Notwithstanding anything contained in sub-rule (4), the Director may entertain claims for the prize amount beyond the period specified in the said sub-rule (4), by period not exceeding one month, in cases where he is satisfied that such delay is for reasons beyond the control of the claimant.

25. *Matters relating to interpretation to be decided by Government.*—If any question arises as to the interpretation of these rules, the matter shall be referred to the Government in the Finance Department and the decision of the Government on such questions shall be final.

26. *Jurisdiction.*—All disputes arising out of these rules shall be decided by the Courts having jurisdiction within the limits of the city of Panaji, Goa.

27. *Receipts to be credited to consolidated fund.*—(1) The receipts from the sale of tickets shall be credited to the consolidated fund of the State under the appropriate budget head. The expenditure on administration, printing, agency, commission, prize awards etc., connected with the Scheme shall accordingly be debited to the appropriate service head and deposit head as the case may be.

(2) The detailed accounts procedure will be laid down by the Government.

FORM A.

APPLICATION FORM FOR APPOINTMENT AS AGENT

To,

The Director of Lotteries,
Finance Department,
Govt. of Goa,
Secretariat, Panaji, Goa.

Sir,

I/We, desire to continue to act as agent for the sale of All India Lottery tickets which may be released from your office from time to time.

2. a) Full Name: —

b) Father's Name: —

c) Occupation: —

d) Business/Office Address: —

e) Residential Address: —

f) Age: —

g) Property/Qualifications: —

3. I/We also declare that I/We shall abide by all the rules and regulations, instructions etc., regarding the appointment of agent.

4. In case I/We am/are selected as an agent, I/We agree to remit a cash security deposit corresponding to 2% of the face value of the tickets agreed to be lifted for sale during a year as laid down in the Goa State Lottery Rules.

5. In the event of my/our being appointed as agent, I/We shall sign the Form of agreement duly prescribed by Director of State Lotteries in this behalf after making the required deposit.

6. I/We hereby declare that the facts stated above are correct and true to the best of my/our knowledge.

Place:

Date:

Signature of the Applicant.

FORM 'B'

FORM OF AGREEMENT

An agreement made this ... day of ... in the year One thousand nine hundred ... between the Governor of Goa, (hereinafter called the 'Government') of the One part and (1) Shri ... son of ..., Resident of ... (and) (2) ... all inhabitants of ... carrying on business in partnership of ... in the firm name and style of ... at ... / (3) ... Company Ltd., a Company registered under the Indian Companies Act, 1913

The Companies Act, 1956

and having its registered office at ... (hereinafter referred to as "The Agent") which expression shall unless it be repugnant to the context or meaning thereof be deemed to include his heirs, executors and administrators/all the partners of the said firm, their representatives, or heirs, executors and administrators of the last survivor partners or partner for the time being of the said firm and permitted assigns/its successors and permitted assigns of the other part.

Whereas the Government having decided to conduct Lottery has framed the necessary rules, namely the Goa State Lottery Rules, 1991 (hereinafter referred to as "The Rules") whereunder Lottery tickets will be put up for sale to the public from time to time;

And whereas with a view to promoting, extending and facilitating the sale of such lottery tickets to the public, the Government is desirous of appointing agents thereof;

And whereas on the application of Shri .../Ms. ... for being appointed as an agent contemplated by the Rules, the Government has agreed to appoint Shri ... /M/s. ... as such, Agent on the terms and conditions hereinafter contained;

And whereas as required by the Rules, the Agent has prior hereto deposited with Government the sum of Rs. ... and has agreed to keep the same amount deposited with the Government during the subsistence of these presents by way of security deposit;

And whereas, it has been agreed that the said deposit will not bear any interest.

NOW IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. In consideration of the commission to be paid to the Agent by the Government in the manner hereinafter mentioned, the Agent shall sell the Goa State Lottery tickets subject to the following terms and conditions;

1. The Government doth hereby appoint the Agent as an agent for the sale of lottery tickets issued by Director of Lotteries on the terms and conditions hereby contained.

2. During the continuance of the Agreement, the Agent shall pay the amount in form of cash/demand draft for the purchase of ... Lottery tickets issued by the Director of Lotteries for each draw.

3. In consideration of the Governments appointing the Agent as an agent aforesaid, the Agent doth hereby for himself, his heirs, executors and administrators/themselves, their successors and the partners for the time being of the said firm of .../for itself and its successors covenant with the Government as follows:

(a) The Agent shall use his best endeavours viz. proper advertisement and publicity and otherwise to promote and extend the sale of the lottery tickets as and when issued by the Director of Lotteries.

(b) The Agent shall duly carry out and execute this Agreement faithfully, diligently and to the best of his ability and to take all measures to promote and extend the sale of lottery tickets issued by the Director of Lotteries, Government of Goa, from time to time.

(c) The Agent shall duly carry out the directions and instructions that may be from time to time issued by the Director of Lotteries or persons duly authorised by the Director of Lotteries in that behalf and duly comply with the rules, as amended by the Government from time to time.

(d) The Agent shall not assign or transfer in any manner whatsoever the agent's right, title or interest hereunder or the benefit of this Agreement to any other person whomsoever.

4. Either party to this Agreement may terminate this Agreement by giving to the other party three month's prior notice in writing in that behalf and on the expiry of such notice, this Agreement shall automatically stand terminated.

5. If in the opinion of the Government, the work or the conduct of the Agent is not satisfactory or the Agent has committed any irregularity in the discharge of his functions, or the Agent has committed breach of any of the terms and conditions hereof or any of the rules, the Government shall without prejudice to any other rights, remedies and powers be entitled to terminate this Agreement and to forfeit to the Government the amount of security deposit in full or such part thereof as it thinks fit, after giving the Agent the reasonable opportunity of showing cause against the action proposed to be taken by the Government.

IN WITNESS WHEREOF, the parties hereto have set their respective hands to these presents in the month and year first hereinbefore mentioned.

Signed and delivered by ...
for and on behalf of the Governor of Goa.
Seal

In the presence of:

- 1.
- 2.

Signed and delivered by the Agent withinnamed:
Seal

In the presence of:

- 1.
- 2.

FORM "C"

CERTIFICATE OF APPOINTMENT TO ACT AS AGENT

1. Certificate of appointment No.
2. Full Name of the Agent:
3. Address of the Agent:
4. Annual quota allotted to the Agent;
5. The above named Agent whose specimen signature appended below is hereby appointed to sell to the public, the All India Lottery tickets for period during which the Agreement executed by the Agent with the Government remain in force.

Signature of the Director of Lotteries.
Government of Goa

Place:

Date:

FORM "D"

THE GOA STATE LOTTERY RULES, 1991

(See Rule 23)

Form for claiming prizes of the lottery

(Separate form to be used for tickets of each draw)

1. Full name and address of the prize winner, or the Agent collecting the prizes (in block letters)
2. Occupation:
3. Date of Draw:
4. Number of weekly/special/instant issue:
5. Series of the prize winning ticket number above Rs. 5,000/-

Total

- A) Rs.
 B) Rs.
 C) Rs.
 D) Rs.
 E) Rs.
 F) Rs.
 G) Rs.
 H) Rs.
 I) Rs.

Certified that the above claim for the prize amount made by me was not preferred previously. The tickets mentioned above are enclosed.

Claimant's Signature.

Received this ... day of ... 199 ... the sum of Rs. ... (Rupees ... only) bearing the amount payable on account of the above claim.

Claimant's Signature.

FOR USE IN PAYING OFFICE

1. The above listed tickets have been verified from the list of prize winning numbers.

2. Passed for payment of Rs. ... (Rupees ...)
 in words

Verified by:

Officer In-charge of Accounts

By order and in the name of the Governor of Goa.

Smt. Prabha Chandran, Under Secretary (Fin. Exp.).

Panaji, 19th June, 1991.